

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chairman Donald J. Steinbeisser, on March 26, 2009
at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Terry Murphy, Vice Chairman (R)
Sen. Gary Branae (D)
Sen. Taylor Brown (R)
Sen. Bradley Hamlett (D)
Sen. Ken (Kim) Hansen (D)
Sen. Verdell Jackson (R)
Sen. Cliff Larsen (D)

Members Excused:

Sen. Rick Ripley (R)

Members Absent: None

Staff Present: Joan Linkenbach, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SR 18, 3/23/2009

Executive Action: SR 18; SB 38; HB 478

00:01:05 Vice Chairman Murphy assumed the chair.

HEARING ON SR 18

Opening Statement by Sponsor:

00:01:26 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SR 18, Confirm appointees to Board of Livestock.

Proponents' Testimony:

00:02:59 Patti Keebler, Board of Commissioners, representing Governor Schweitzer

EXHIBIT(ags67a01)

00:05:12 Janice French, Hobson

00:07:34 Jeff Lewis, Corvallis

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:44 Sen. Hansen
00:09:46 Ms. French
00:11:49 Sen. Hansen
00:13:23 Ms. French
00:13:30 Sen. Brown
00:13:57 Ms. French
00:15:09 Sen. Brown
00:15:36 Ms. French
00:16:16 Sen. Brown
00:16:24 Ms. French
00:16:48 Sen. Brown
00:17:27 Ms. French
00:18:01 Chairman Steinbeisser
00:18:24 Ms. French
00:19:42 Sen. Hamlett
00:20:20 Ms. French
00:20:26 Sen. Brown
00:21:20 Ms. French
00:22:50 Sen. Brown
00:23:29 Ms. French
00:23:49 Sen. Hamlett
00:24:09 Ms. French
00:25:22 Sen. Hansen
00:26:33 Ms. French
00:27:36 Sen. Larsen
00:28:17 Mr. Lewis

00:28:25 Sen. Larsen
00:29:06 Mr. Lewis
00:29:39 Sen. Larsen
00:30:05 Vice Chairman Murphy
00:30:15 Mr. Lewis
00:30:29 Sen. Brown
00:31:14 Mr. Lewis
00:34:39 Sen. Brown
00:34:47 Mr. Lewis
00:34:55 Sen. Brown
00:34:59 Mr. Lewis
00:35:03 Sen. Brown
00:35:33 Vice Chairman Murphy
00:35:45 Sen. Brown
00:36:36 Mr. Lewis
00:38:52 Sen. Hansen
00:39:26 Mr. Lewis
00:39:50 Sen. Hansen

Closing by Sponsor:

00:40:21 Chairman Steinbeisser
00:41:04 Chairman Steinbeisser assumed the chair.

EXECUTIVE ACTION ON SR 18

00:41:26 **Motion/Vote:** Sen. Jackson moved that **SR 18 BE ADOPTED.**
Motion carried unanimously by voice vote. Sen. Ripley
voted aye by proxy. The preliminary Standing Committee
Report is included herein pending final confirmation.

00:42:07 Recess
00:53:16 Reconvened

EXECUTIVE ACTION ON SB 38

Discussion:

00:53:48 Chairman Steinbeisser
00:55:00 Sue O'Connell, Legislative Services Division
00:55:11 Sen. Jackson

00:56:20 **Motion:** Sen. Jackson moved to **RECONSIDER THE ACTION**
taken on **SB 38.**

00:56:35 **Vote:** Motion carried 6-3 by voice vote with Sen.
Branae and Sen. Hansen and Sen. Larsen voting no. Sen.
Ripley voted aye by proxy.

Discussion:

00:57:15 Sen. Jackson

00:57:28 Sue O'Connell, LSD

[EXHIBIT \(ags67a02\)](#)

[EXHIBIT \(ags67a03\)](#)

[EXHIBIT \(ags67a04\)](#)

01:01:06 Sen. Jackson

[EXHIBIT \(ags67a05\)](#)

01:04:55 Sen. Hansen requested testimony from the Department of Agriculture regarding the amendments. Without objection from the committee, representatives of the Department of Agriculture spoke to the amendments.

01:05:47 Ron de Yong, Director, Department of Agriculture (DOA)

01:06:02 Donna Rise, Bureau Chief, DOA

01:07:10 Sen. Hansen

01:07:33 Mr. de Yong, DOA

01:09:03 Sen. Ripley present

01:09:51 Sen. Hansen

01:10:05 Mr. de Yong, DOA

01:10:16 Ms. O'Connell, LSD

01:10:51 Sen. Jackson

01:11:13 Ms. Rise, DOA

01:13:19 Sen. Larsen

01:13:35 Ms. Rise, DOA

01:13:59 Sue O'Connell, LSD

01:14:11 Ms. Rise, DOA

01:14:15 Sen. Larsen

01:14:22 Ms. Rise, DOA

01:14:47 Sen. Larsen

01:14:54 Ms. Rise, DOA

01:15:17 Sen. Brown

01:15:28 Sen. Hamlett

01:15:49 Ms. Rise, DOA

01:16:24 Sen. Hamlett

01:16:35 Ms. Rise, DOA

01:16:50 Sen. Ripley

01:17:11 Ms. Rise, DOA

01:17:30 Chairman Steinbeisser

01:17:57 Ms. Rise, DOA

01:19:16 Chairman Steinbeisser

01:19:33 Ms. Rise, DOA

01:20:07 Sen. Branae

01:20:43 Ms. Rise, DOA

01:21:33 Sen. Branae

01:22:04 Ms. Rise, DOA

01:24:23 Sen. Branae

01:24:31 Sen. Jackson
01:25:14 Ms. Rise, DOA
01:25:21 Sen. Jackson
01:26:16 Ms. Rise, DOA
01:26:23 Sen. Hamlett
01:26:29 Chairman Steinbeisser
01:26:35 Ms. Jackson, LSD

01:26:51 **Motion/Vote:** Sen. Hamlett moved to conceptually amend **SB 38** to require everyone be licensed. Motion carried 8-1 by voice vote with Sen. Jackson voting no.

Discussion regarding procedure:

01:27:01 Sen. Larsen
01:27:08 Chairman Steinbeisser

01:27:28 **Motion:** Sen. Jackson moved that **SB 38 DO PASS.**

Discussion on proper motions for amendments:

01:27:44 Sen. Jackson
01:29:06 Sue O'Connell, LSD

01:29:18 **Motion:** Sen. Jackson moved that **SB 38 BE AMENDED.**

(Exhibit 2) It was understood that the final amendment would include the conceptual amendment requiring licensing and replacing the fee amounts with those in Exhibit 5.

Discussion:

01:29:21 Sue O'Connell, LSD
01:29:26 Chairman Steinbeisser

01:29:36 **Vote:** Motion carried 7-2 by voice vote with Sen. Branae and Sen. Hansen voting no.

01:30:08 **Motion:** Sen. Jackson moved that **SB 38 BE AMENDED.**
(Exhibit 3)

Discussion:

01:30:15 Sen. Brown
01:30:18 Sen. Jackson
01:30:22 Sen. Brown
01:30:28 Sen. Jackson

01:30:30 **Vote:** Motion carried unanimously by voice vote.

01:31:01 **Motion/Vote:** Sen. Jackson moved that **SB 38 DO PASS AS AMENDED**. Motion carried 7-2 by voice vote with Sen. Branae and Sen. Hansen voting no.

EXECUTIVE ACTION ON HB 478

01:31:40 **Motion:** Sen. Jackson moved that **HB 478 BE CONCURRED IN**.

Discussion:

01:31:54 Sue O'Connell, LSD

01:32:32 **Motion/Vote:** Sen. Jackson moved that **HB 478 BE AMENDED**. Motion carried 8-1 by voice vote with Sen. Larsen voting no.

EXHIBIT(ags67a06)

01:33:37 **Motion:** Sen. Ripley moved that **HB 478 BE AMENDED**.
EXHIBIT(ags67a07)

Discussion:

01:34:11 Sue O'Connell, LSD
01:34:16 Sen. Jackson
01:34:18 Sue O'Connell, LSD
01:34:25 Sen. Larsen
01:35:12 Sen. Brown
01:35:25 Sen. Jackson
01:36:20 Sen. Ripley
01:36:31 Sen. Jackson
01:37:21 Chairman Steinbeisser
01:37:29 Sen. Ripley
01:37:37 Sen. Jackson
01:37:45 Ms. Rise, DOA
01:38:32 Chairman Steinbeisser

01:38:40 **Motion/Vote:** Sen. Steinbeisser called the committee to vote that **HB 478 BE CONCURRED IN AS AMENDED**. The committee assumed that the Amendment in Exhibit 7 was included in the motion. Motion carried unanimously by voice vote. Sen. Jackson will carry the bill in the Senate.

01:38:48 Chairman Steinbeisser

ADJOURNMENT

Adjournment: 5:30 P.M.

Joan Linkenbach, Secretary

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Additional Documents:

EXHIBIT ([ags67aad.pdf](#))